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PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation

MINISTRY OF HOME AFFAIRS

ORDER

New Delhi, the 1st July 1974

G.S.R. 299(E). In exercise of the powers conferred by clauses (1) and (2) of article 371D of the Constitution of India, the President hereby makes, with respect to the State of Andhra Pradesh, the following Order, namely —

1. **Short title, extent and commencement.**—(1) This Order may be called the Andhra Pradesh Educational Institutions (Regulation of Admissions) Order, 1974

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on the 1st day of July, 1974.

2 **Interpretation.**—(1) In this Order, unless the context otherwise requires,—

(a) "available seats", in relation to any course of study, means the number of the seats provided in that course for admission at any time after excluding those reserved for candidates from outside the State,

(b) "local area", in respect of any University or other educational institution, means the local area specified in paragraph 3 of this Order for the purposes of admission to such University or other educational institution;

(c) "local candidate", in relation to any local area, means a candidate who qualifies under paragraph 4 of this Order as a local candidate in relation to such local area;

(d) "State Government" means the Government of Andhra Pradesh;

(e) "Statewide educational institution" means an educational institution or a department of an educational institution specified in the Schedule to this Order;

(f) "Statewide University" means the Andhra Pradesh Agricultural University constituted under the Andhra Pradesh Agricultural University Act, 1963 (Andhra Pradesh Act 24 of 1963), or the Jawaharlal Nehru Technological University constituted under the Jawaharlal Nehru Technological University Act, 1972 (Andhra Pradesh Act 16 of 1972).

(2) Any reference to any District in this Order shall be construed as a reference to the area comprised in that District on the 1st day of July, 1974.

(3) The General Clauses Act, 1897 (10 of 1897) applies for the interpretation of this Order as it applies for the interpretation of a Central Act.

3. **Local area.**—(1) The part of the State comprising the districts of Srikakulam, Visakhapatnam, West Godavari, East Godavari, Krishna, Guntur and Prakasam shall be regarded as the local area for the purposes of admission to the Andhra University and to any other educational institution (other than a Statewise University or Statewide educational institution) which is subject to the control of the State Government and is situated in that part.

(2) The part of the State comprising the districts of Adilabad, Hyderabad, Karimnagar, Khammam, Mahaboobnagar, Medak, Nalgonda, Nizamabad and Warangal shall be regarded as the local area for the purposes of admission to the Osmania University and to any other educational institution (other than a Statewide University or Statewide educational institution) which is subject to the control of the State Government and is situated in that part.

(3) The part of the State comprising the district of Anantapur, Cuddapan, Kurnool, Chittoor and Nellore shall be regarded as the local area for the purposes of admission to Shri Venkateswara University and to any other educational institution (other than a Statewide University or Statewide educational institution) which is subject to the control of the State Government and is situated in that part.

4. **Local candidates.**—A candidate for admission to any course of study shall be regarded as a local candidate in relation to a local area—

(a) if he has studied in an educational institution or educational institutions in such local area for a period of not less than four consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared in the relevant qualifying examination; or

(b) where, during the whole or any part of the four consecutive academic years ending with the academic year in which he appeared or, as the case may be, first appeared for the relevant qualifying examination, he has not studied in any educational institution, if he has resided in that local area for a period of not less than four years immediately preceding the date of commencement of the relevant qualifying examination in which he appeared or, as the case may be, first appeared.

Explanation—For the purposes of this paragraph —

(i) "educational institution" means a University or any educational institution recognised by the State Government, a University or other competent authority;

(ii) "relevent qualifying examination", in relation to admission to any course of study, means the examination, a pass in which is the minimum educational qualification for admission to such course of study;

(iii) in reckoning the consecutive academic years during which a candidate has studied, any period of interruption of his study by reason of his failure to pass any examination shall be disregarded.

5. **Reservation in non-Statewide Universities and educational institutions.**—

(1) Admissions to eighty-five per cent of the available seats in every course of study provided by the Andhra University, the Osmania University or Sri Venkateswara University or by any other educational institution (other than a Statewide University or a Statewide educational institution) which is subject to the control of the State Government shall be reserved in favour of the local candidates in relation to the local area in respect of such University or other educational institution.

(2) While determining under sub-paragraph (1) the number of seats to be reserved in favour of local candidates any fraction of a seat shall be counted as one:

Provided that there shall be at least one unreserved seat.

6. **Reservation in Statewide Universities and Statewide educational institutions.**—(1) Admissions to eighty-five per cent of the available seats in every course of study provided by a Statewide University or a Statewide educational institution shall be reserved in favour of, and allocated among the, local candidates in relation to the local areas in respect of the Andhra University, the Osmania University and Sri Venkateswara University in the ratio of 42 : 36 : 22 respectively:

Provided that this sub-paragraph shall not apply in relation to any course of study in which the total number of available seats does not exceed three.

(2) While determining under sub-paragraph (1) the number of seats to be reserved in favour of the local candidates, any fraction of a seat shall be counted as one:

Provided that there shall be at least one unreserved seat.

(3) While allocating under sub-paragraph (1) the reserved seats among the local candidates in relation to the different local areas, fractions of a seat shall be adjusted by counting the greatest fraction as one and, if necessary, also the greater of the remaining fractions as another; and, where the fraction to be so counted cannot be selected by reason of the fractions being equal, the selection shall be by lot:

Provided that there shall be at least one seat allocated for the local candidates in respect of each local area.

7. **Filling of reserved vacant seats.**—If a local candidate in respect of a local area is not available to fill any seat reserved or allocated in favour of a local candidate in respect of that local area, such seat shall be filled as if it had not been reserved.

8. **Power to authorise issue of directions.**—(1) The President may, by order, require the State Government to issue such directions as may be necessary or expedient for the purpose of giving effect to this Order to any University or to any other educational institution subject to the control of the State Government; and the University or other educational institution shall comply with such directions.

(2) The State Government may, for the purpose of issuing any directions under sub-paragraph (1) or for satisfying itself that any directions issued under that sub-paragraph have been complied with, require, by order in writing, any University or any other educational institution subject to the control of the State Government to furnish them such information, report or particulars as may be specified in the order; and the University or other educational institution shall comply with such order.

9. **Order to have overriding effect.**—The provisions of this Order shall have effect notwithstanding anything contained in any statute, ordinance, rule, regulation or other order (whether made before or after the commencement of this

Order) in respect of admissions to any University or to any other educational institution subject to the control of the State Government.

10. **Removal of doubts.**—For the removal of doubts, it is hereby declared that nothing in this Order shall affect the operation of any provisions made by the State Government or other competent authority (whether before or after the commencement of this Order) in respect of reservations in the matter of admission to any University or other educational institution in favour of women, socially and educationally backward classes of citizens, the Scheduled Castes and the Scheduled Tribes in so far as such provisions are not inconsistent with this Order.

11. **Saving.**—Nothing in this Order shall apply to admissions to any,—

(a) primary school or secondary school,

(b) correspondence courses provided by any University or other educational institution, or

(c) part-time course of study provided by any University or other educational institution solely for the benefit of employed persons.

THE SCHEDULE

[*Vide* paragraph 2(e)]

Statewide educational institutions subject to the control of the State Government.

1. College of Physical Education, Hyderabad.
2. College of Nursing, Hyderabad.
3. Dental department of the Osmania Medical College, Hyderabad.
4. Nizamia Tibbi College, Hyderabad.

[No. 3/6/74-POLL(K).]

By order and in the name of the President.

T. C. A. SRINIVASAVARADAN, Addl. Secy.

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